IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2971 of 2005

Between:

Karra Santharatnam W/O Yesudas, Sarpanch,

Gutlapadu Grama Panchayat, R/O Gutlapadu village, Bhimavaram

Mandal, West Godavari District.

..... PETITIONER

AND

1. The District Collector (PR)

Eluru, West Godavari District.

2. The District Panchayat Officer,

West Godavari, Eluru,

West Godavari District.

3. The Divisional Panchayat Officer,

Narasapuram, West Godavari District.

4. The Extension Officer, PR & RD,

Bhimavaram, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or orders, direction or directions, writ or writs, particularly one in the

nature of writ of Mandamus calling for the records pertaining to Rc.No.2225/2004-A5(P), dated 3.2.2005 and set aside the same as illegal, arbitrary against the provisions of Grama Panchayat Act,1994 and violative of Article 20 of the Constitution of India.

Counsel for the Petitioner:MR.K.L.N.SWAMY

Counsel for the Respondent Nos.1 to 4: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following :

ORDER:

This writ petition is filed aggrieved by the order, dated 03.02.2005, passed by the first respondent-District Collector, (Panchayat Wing), West Godavari, Eluru, under Section 249(6) of the A.P.Panchayat Raj Act (for short "the Act"),placing the petitioner under suspension for a period of three months.

Against the impugned order, a revision lies to the Government under Section 264 of the Act. Without exhausting the said alternative remedy, the petitioner cannot invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

Accordingly, granting leave and liberty to the petitioner to avail the alternative remedy available under the statute, the writ petition is disposed of. No costs.

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18.02.2005

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To

1. The District Collector (PR)

Eluru, West Godavari District.

2. The District Panchayat Officer,

West Godavari, Eluru,

West Godavari District.

3. The Divisional Panchayat Officer,

Narasapuram, West Godavari District.

4. The Extension Officer, PR & RD,

Bhimavaram, West Godavari District.

5 Two C.Cs to the G.P. for Panchayat Raj and Rural Development, High Court Buildings, Hyderabad (OUT).

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